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| <b>OIP TRANSMITTAL FORM</b><br>JUN 27 2005<br>(to be used for all correspondence after initial filing) | Application Number   | 09/833,219             |              |
|  | Filing Date          | April 10, 2001         |              |
|  | First Named Inventor | Klinker, Eric          |              |
|  | Art Unit             | 2662                   |              |
|  | Examiner Name        | Saba Tsegaye           |              |
| Total Number of Pages in This Submission   | 5                    | Attorney Docket Number | 52224/294510 |

| ENCLOSURES (check all that apply)  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD: Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>-PTO/SB/08 Prior Art List<br>-PTO-2038 Credit Card Payment<br>-Return Receipt Postcard |
| <b>Remarks</b><br><br>   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                          |          |        |
|--|--------------------------|----------|--------|
| Firm                                       | Kilpatrick Stockton, LLP |          |        |
| Signature                                  | <i>Brenda O. Holmes</i>  |          |        |
| Printed Name                               | Brenda O. Holmes         |          |        |
| Date                                       | 06.23.2005               | Reg. No. | 40,339 |

| CERTIFICATE OF TRANSMISSION/MAILING   |                      |      |           |
|---|----------------------|------|-----------|
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| Signature   | <i>Steve Kennedy</i> |      |           |
| Typed or printed name   | Steve Kennedy        | Date | 6.23.2005 |

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Attorney Docket No. 52224/294510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Eric Klinker

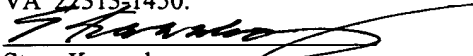
Serial No.: 09/833,219

Filed: April 10, 2001

For: SYSTEM AND METHOD TO ASSURE  
NETWORK SERVICE LEVELS WITH  
INTELLIGENT ROUTING

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}  
} Art Unit: 2662  
}  
} Examiner: Tsegaye, Saba  
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}  
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I hereby certify that this correspondence is being deposited with the United States Postal Service on June 23, 2005 with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

  
Steve Kennedy

Mail Stop Amendment  
Commissioner for Patents  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the patent references listed on the attached PTO/SB/08A are submitted for consideration by the Examiner. No copies are enclosed since all of the references are US patent references.

06/28/2005 HMARZI1 00000017 09833219

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Submission of the references provided in this Supplemental Information Disclosure Statement is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made, or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Form PTO-2038 is enclosed for our credit card payment of \$180.00 due under 37 CFR § 1.17(p). The Commissioner is authorized to charge any additional fees due or credit any overpayments to Deposit Account No. 11-0855.

Respectfully submitted,

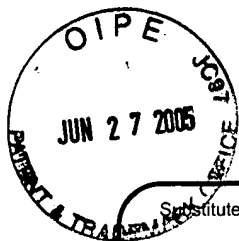


Brenda O. Holmes  
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Date: 06-23-2005

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Attorney Docket No.: 52224/294510



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

|                        |                |
|------------------------|----------------|
| Application Number     | 09/833,219     |
| Filing Date            | April 10, 2001 |
| First Named Inventor   | Klinker, Eric  |
| Art Unit               | 2662           |
| Examiner Name          | Saba Tsegaye   |
| Attorney Docket Number | 52224/294510   |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|------------------------|--------------------------|--|--------------------------------|--|---|
|                        |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        | 1                        | 6,801,502                                  | 10-05-2004                     | Rexford, et al.                                    |   |
|                        | 2                        | 6,785,237                                  | 08-31-2004                     | Sufleta, Zbigniew                                  |   |
|                        | 3                        | 6,690,649                                  | 02-10-2004                     | Shimada, Naohiro                                   |   |
|                        | 4                        | 6,678,248                                  | 01-13-2004                     | Haddock, et al.                                    |   |
|                        | 5                        | 6,574,495                                  | 06-03-2003                     | Roberts, Lawrence G.                               |   |
|                        | 6                        | 6,466,984                                  | 10-15-2002                     | Naveh, et al.                                      |   |
|                        | 7                        | 6,400,681                                  | 06-04-2002                     | Bertin, et al.                                     |   |
|                        | 8                        | 6,097,699                                  | 08-01-2000                     | Chen, et al.                                       |   |
|                        | 9                        | 6,047,331                                  | 04-04-2000                     | Medrad, et al.                                     |   |
|                        | 10                       | 5,953,312                                  | 09-14-1999                     | Crawly, et al.                                     |   |
|                        | 11                       | US2004/0196787                             | 10-07-2004                     | Wang, et al.                                       |   |
|                        | 12                       | US2003/0118029                             | 06-26-2003                     | Maher, et al.                                      |   |
|                        | 13                       | US2003/0016627                             | 01-23-2003                     | McLampy, et al.                                    |   |
|                        | 14                       | US2003/0012145                             | 01-16-2003                     | Bragg, Nigel                                       |   |
|                        | 15                       | US2003/0002443                             | 01-02-2003                     | Basso, et al.                                      |   |
|                        | 16                       | US2002/0184393                             | 12-05-2002                     | Leddy, et al.                                      |   |
|                        | 17                       | US2002/0163884                             | 11-07-2002                     | Peles, et al.                                      |   |
|                        | 18                       | US2002/0145981                             | 10-10-2002                     | Klinker, et al.                                    |   |
|                        | 19                       | US2002/0141378                             | 10-03-2002                     | Bays, et al.                                       |   |
|                        | 20                       | US2002/0105909                             | 08-02-2002                     | Flanagan, et al.                                   |   |
|                        | 21                       | US2002/0057699                             | 05-16-2002                     | Roberts, Lawrence G.                               |   |
|                        | 22                       | US2001/0021176                             | 09-13-2001                     | Mimura, et al.                                     |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
|                        |                          | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                   |   |  |                |
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Examiner  
SignatureDate  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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